

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

SCOTT LOUIS PANETTI,	§	
<i>Petitioner,</i>	§	
	§	
v.	§	
	§	CIV. NO. 1:04-cv-00042-RP
BOBBY LUMPKIN, Director,	§	(Death Penalty Case)
Texas Department of Criminal	§	
Justice, Correctional Institutions	§	
Division,	§	
<i>Respondent.</i>	§	

**RESPONDENT'S WITNESS LIST**

Pursuant to this Court's order, ECF No. 280, Respondent provides the following notice regarding the witnesses he may call at the evidentiary hearing scheduled to begin October 24, 2022.

1. Dr. Timothy Proctor will testify regarding his competency-for-execution evaluation, including his review of records, interviews with collateral witnesses, and interview and evaluation of Petitioner;
2. Danielle Byrn will testify regarding her position with the University of Texas Medical Branch (UTMB), the policies and procedures of UTMB mental health staff, and her assessments of Petitioner;
3. The following current or former employees of the Texas Department of Criminal Justice (TDCJ) may testify regarding their interactions with and observations of Petitioner:
  - a. Deputy Director of Religious Services, C.F. Hazlewood;

- b. Chaplain Joaquin Gay;
  - c. Chaplain Russell Martin;
  - d. Correctional Officer Alice Moriarty;
  - e. Correctional Officer Amanda Maddox;
  - f. Correctional Officer Ashley Guidry;
  - g. Correctional Officer Effie Vincent;
  - h. Correctional Officer Karen Woodley;
  - i. Correctional Officer Marley Watson;
  - j. Correctional Officer Shaun Munson;
  - k. Correctional Officer William Turner;
  - l. Captain Nita Neyland;
  - m. Sergeant Brian Peterson;
  - n. Sergeant Lola Reescano;
  - o. Sergeant Mathew Ruble;
  - p. Sergeant Rachel Barker;
  - q. Sergeant Scott Grimm;
  - r. Sergeant Shawn Dorman;
  - s. Warden Daniel Dickerson; and
  - t. Melodye Nelson;
4. The following witnesses may testify regarding an inventory of Petitioner's cell:

- a. Sergeant Jose Baca, Office of the Attorney General of Texas;
- b. Captain Nita Neyland; and
- c. Matthew Williams, Investigator, 216th Judicial District of Gillespie and Kerr Counties.

In addition to the above, Respondent reserves the right to call any additional witnesses: (i) identified on Petitioner's witness list; (ii) in rebuttal to any testimony or evidence put forth by Petitioner; and (iii) to authenticate or provide a foundation for documents or other evidence, if necessary.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I do hereby certify that on September 30, 2022, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Western District of Texas, using the electronic case-filing system of the Court. The electronic case-filing system sent a “Notice of Electronic Filing” (NEF) to the following counsel of record, who consented in writing to accept the NEF as service of this document by electronic means:

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s/ Jay Clendenin

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